

REMARKS/ARGUMENTS

These remarks and amendments are filed in response to the Office Action mailed April 30, 2008. As this response is timely filed within the 3-month shortened statutory period, no fee is believed due. Nonetheless, the Examiner is expressly authorized to charge any deficiencies to Deposit Account No. 50-0951.

In the Office Action, Claims 1-12 and 22-30 were rejected under 35 U.S.C. 101 as being directed to non-statutory subject matter. Claims 1, 4, 7, 9, 11, 13, 14, 17, 19, 22, 23, 26, 28, 31, 32, 35, and 37 are rejected under 35 U.S.C. 102(e) as being anticipated by Blaukopf et al., (US 2004/0103407 A1). Claims 2, 3, 10, 20, 29, and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Blaukopf et al. view of Wahli et al., "Web Services Wizardry with WebSphere Studio Application Developer" (hereinafter Wahli). Claims 5, 6, 8, 12, 15, 16, 18, 21, 24, 25, 27, 30, 33, 34, 36, and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Blaukopf in view of Fox et al., "Adapting to Network and Client Variation Using Active Proxies: Lessons and Perspectives" (hereinafter Fox). Claims 15, 16, 18, 21, 24, 25, 27, 30, 33, 34, 36 and 39 are rejected for the same reasoning as used in the rejection of claims 5, 6, 8, and 12.

Claim Amendments

Although Applicants respectfully disagree with the rejections, Applicants nevertheless have amended certain claims so as to expedite prosecution of the present application. Applicants respectfully note, however, that the amendments are not intended as, and should not be interpreted as, the surrender of any subject matter. Accordingly, Applicants respectfully reserve the right to present the original version of any of the amended claims in any future divisional or continuation applications from the present application.

In particular, Applicants have amended independent Claims 1, 13, 22, and 31 to further emphasize certain aspects of the invention and more starkly contrast aspects of the

invention with those described in the cited references. Accordingly, for the reasons stated herein, Applicants request the withdrawal of the rejections under 35 U.S.C. 102(e) and 35 U.S.C. 103(a). Applicants have further amended Claims 1 and 22 to recite specific physical features described in the Specification, and accordingly request the withdrawal of the rejections under 35 U.S.C. 101.

The claim amendments, as discussed herein, are fully supported throughout the Specification. (See, e.g., Specification, paragraph [0037], lines 1-18, and paragraph [0170], lines 1-12.) No new matter has been introduced by virtue of any of the claim amendments.

The Claims Define Over The Cited References

As already noted above, independent Claims 1, 13, 22, and 31 were each rejected as being anticipated by Blaukopf. Applicants respectfully submit, however, that Blaukopf fails to teach, either expressly or inherently, each of the features recited in amended Claims 1, 13, 22, and 31.

For example, Blaukopf fails to teach, or even suggest, a datagram packet application programming interface (API) configured to enable an application developer to specify with generated program code a length of fragmentation of a data string and to specify routing of fragmented data to a destination address and port number, as expressly recited in the amended claims. As expressly noted in the Office Action, Blaukopf fails to teach a module for generating program code that can packetize data according to a wireless communications link. (See Office Action, page 8.) It logically follows, therefore, that Blaukopf likewise can not be read to teach the feature recited in the amended claims.

Fox, it is stated in the Office Action, teaches a proxy for on-the-fly adaptation of data to mobile devices, including program code to packetize data according to a type of wireless communication link. Fox first discusses the limitations of "current Internet

infrastructures." (Fox, p. 1, section 1.1) Fox subsequently describes "a distilled [object] representation" that is intended to target specific attributes of a client, specifically describing the implementation of "useful distillation 'workers' that serve clients spanning an order of magnitude in each area of variation." (Fox, p. 3, left col., bullet 2.) Fox further describes, "end-to-end client latency for retrieving [an] original and each of four distilled versions of a selection of GIF images." (Fox, p. 4, left col., paragraph 1.)

Fox, however, does not explicitly, or implicitly, describe the specific features recited in amended Claims 1, 13, 22, and 31. Specifically, Fox does not teach or suggest an API that is configured to enable an application developer to specify a particular length for fragmenting a data string, as implemented with Applicants' invention and recited in each of the amended claims. Fox further fails to describe an API configured to assist the developer in specifying a particular routing procedure for routing fragmented data to a given destination address. Nor does Fox describe, either explicitly or by implication, the precise parameters of an API to enable developer to specify a particular port number at which the fragmented data is to be received.

Accordingly, not Blaukopf, Fox, or any of the other cited references teaches or suggests each of the features recited in amended Claims 1, 13, 22, and 31. Applicants respectfully submit, therefore, that Claims 1, 13, 22, and 21 each define over the references. Applicants further respectfully submit that whereas each of the remaining claims depends from Claim 1, 13, 22, or 31, the dependent claims likewise define over the references.

CONCLUSION

Applicants believe that this application is now in full condition for allowance, which action is respectfully requested. The Applicants request that the Examiner call the undersigned if clarification is needed on any matter within this Amendment, or if the

Examiner believes a telephone interview would expedite the prosecution of the subject application to completion.

Respectfully submitted,

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